

Submission
No 12

**INQUIRY INTO ALLEGATIONS OF IMPROPRIETY
AGAINST AGENTS OF THE HILLS SHIRE COUNCIL AND
PROPERTY DEVELOPERS IN THE REGION**

Name: Name suppressed
Date Received: 23 January 2023

Partially
Confidential

Submission to the Parliamentary Inquiry, Planning Committee No. 7 re Hills Council

Myself and my family are neighbours to the Mirvac site at 55 Coonara Ave, West Pennant Hills. I have been very concerned about what seems to be unfairly favourable treatment of the developer Mirvac by Hills Shire Council.

Like many neighbours, I made submissions to Hills Council for the various Development Applications lodged by Mirvac to Council including the Demolition DA, the Concept Plan, the Apartments and the Housing. All of us were shocked that Hills Council did not take our concerns into consideration or if they did, they just dismissed them. None of our requests were unreasonable yet Council seemed intent on not imposing any conditions that would have helped neighbours cope with the development but may have cost Mirvac a bit more time and money. A few of the requests we made that were ignored by Council were,

- Timed parking to prevent contractors parking on the street
- Later starting time on a Saturday and not working all day Saturday
- Effective pest control during demolition
- Dilapidation reports for all Coonara Ave houses facing the site
- Visual analysis from Cumberland State Forest of impacts of the 8 storey towers
- No removal of old growth trees along Coonara Ave
- Retention of old trees within the demolition area where practical
- No beepers on demolition vehicles

When the demolition started Mirvac constructed a solid 3m high black wall along the frontage with Coonara Ave that enclosed the Council nature strip, including Council land, completely blocking off the once pretty nature strip, without Council approval. Council's Director of Planning Cameron McKenzie said in writing Mirvac did not have approval but yet Council didn't make them remove the wall. Council just gave Mirvac retrospective approval against the objections of the neighbours on Coonara Ave.

This became a nightmare at night because residents on the far side of Coonara such as ourselves, when backing out of their driveways, couldn't see pedestrians walking along that footpath because there was no differentiation between the background which was a Mirvac black wall and the pedestrian. Council refused to do anything. It was only by us neighbours pestering Mirvac that the wall was eventually painted a lighter colour. But Council should have been aware there would be a problem with horizontal illumination of pedestrians and not simply retrospectively approve the wall for Mirvac.

The next DA which includes the housing along Coonara Ave is due to be lodged with Council by Mirvac very soon. Neighbours have repeatedly asked Mirvac if we could have input into the design of housing along Coonara Ave instead of looking at rears of the houses which is what is currently proposed. Mirvac have dodged and delayed in letting us see the architectural drawings of the housing elevations, saying unbelievably that they don't have any.

I am quite sure that Hills Shire Council will just wave the new Mirvac DA through without making any recommendations regarding the concerns of the residents on Coonara Ave. It is a simple matter of the housing being orientated to be facing Coonara Ave instead of into the site, with the garages being 'rear-loaded' as many others are on the site. Residents and motorists alike don't want to look at washing lines and the rest of the detritus that fills small back yards. But I'm sure Council will do as it has done with the rest of the Mirvac DAs, make a few tweaks so it looks like they're doing something for the Shire but really just letting Mirvac do what it likes. I think that's a terrible way for Hills Shire Council to interact with developers.

It is also concerning that Mirvac has recently appointed a Hills Shire Council staff member onto the CRG. This staffer is in excess of the original number of CRG members that Mirvac said it wanted, which was twelve. There is now an uneven balance of views weighted in Mirvac's favour by the Hills Shire Council staff member. Council should not have allowed a staff member to be part of the CRG, they have an inherent conflict of interest. Which is perhaps the point.